

AO 241 (Rev. 09/17)

**PETITION UNDER 28 U.S.C. § 2254 FOR WRIT OF
HABEAS CORPUS BY A PERSON IN STATE CUSTODY**

United States District Court		District:
Name (under which you were convicted): <u>Dawson Douglas Shaver</u>		Docket or Case No.: <u>21-10924-FH</u>
Place of Confinement: <u>Parnall Correctional Facility</u>	Prisoner No.: <u>682779</u>	
Petitioner (include the name under which you were convicted): <u>Dawson Douglas Shaver</u>	Respondent (authorized person having custody of petitioner) <u>M.D.O.C</u>	
The Attorney General of the State of: <u>Michigan</u>		

PETITION

Case: 4:23-cv-11573
 Judge: Kumar, Shalina D.
 MJ: Altman, Kimberly G.
 Filed: 06-30-2023 At 10:24 AM
 HC Shaver v. MDOC (jo)

1. (a) Name and location of court that entered the judgment of conviction you are challenging:

Gladwin 55th Circuit Court
401 W. Cedar Ave.
Gladwin, MI 49624

(b) Criminal docket or case number (if you know): 21-10924-FH, 21-11001-FH

2. (a) Date of the judgment of conviction (if you know): N/A

(b) Date of sentencing: 01-24-2022

3. Length of sentence: 12 months

4. In this case, were you convicted on more than one count or of more than one crime? ☒ Yes ☐ No

5. Identify all crimes of which you were convicted and sentenced in this case: Case # 21-10924-FH

Guilty to Count 1, Accosting for Immoral purpose, Case #
21-11001-FH, Count 2 Larceny in a Building, Count 3, Financial
Transaction Device

6. (a) What was your plea? (Check one)

☐ (1) Not guilty ☐ (3) Nolo contendere (no contest)
☒ (2) Guilty ☐ (4) Insanity plea

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(b) If you entered a guilty plea to one count or charge and a not guilty plea to another count or charge, what did you plead guilty to and what did you plead not guilty to? Guilty to Accosting for

Immoral Purpose, Larceny in a Building, and Financial Transaction Remaining Counts Dismissed

(c) If you went to trial, what kind of trial did you have? (Check one)

☐ Jury ☐ Judge only

7. Did you testify at a pretrial hearing, trial, or a post-trial hearing?

☐ Yes ☒ No

8. Did you appeal from the judgment of conviction?

☒ Yes ☐ No

9. If you did appeal, answer the following:

(a) Name of court: Michigan Court of Appeals

(b) Docket or case number (if you know): 364236

(c) Result: Denied

(d) Date of result (if you know): _____

(e) Citation to the case (if you know): _____

(f) Grounds raised: Sex offender registry wasn't part of plea taking or judgement

(g) Did you seek further review by a higher state court? ☒ Yes ☐ No

If yes, answer the following:

(1) Name of court: Michigan Supreme Court

(2) Docket or case number (if you know): 165314

(3) Result: Denied Didn't Persuaded Court

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(4) Date of result (if you know): _____

(5) Citation to the case (if you know): _____

(6) Grounds raised: _____

Sex offender registry wasn't part
of plea taking or Judgement

(h) Did you file a petition for certiorari in the United States Supreme Court?

☐ Yes☒ No

If yes, answer the following:

(1) Docket or case number (if you know): _____

(2) Result: _____

(3) Date of result (if you know): _____

(4) Citation to the case (if you know): _____

10. Other than the direct appeals listed above, have you previously filed any other petitions, applications, or motions concerning this judgment of conviction in any state court? ☐ Yes ☒ No

11. If your answer to Question 10 was "Yes," give the following information:

(a) (1) Name of court: _____

(2) Docket or case number (if you know): _____

(3) Date of filing (if you know): _____

(4) Nature of the proceeding: _____

(5) Grounds raised: _____

(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

☐ Yes☐ No

(7) Result: _____

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(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

☐ Yes ☐ No

(7) Result: _____

(8) Date of result (if you know): _____

(d) Did you appeal to the highest state court having jurisdiction over the action taken on your petition, application, or motion?

(1) First petition: ☐ Yes ☐ No(2) Second petition: ☐ Yes ☐ No(3) Third petition: ☐ Yes ☐ No

(e) If you did not appeal to the highest state court having jurisdiction, explain why you did not:

12. For this petition, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

CAUTION: To proceed in the federal court, you must ordinarily first exhaust (use up) your available state-court remedies on each ground on which you request action by the federal court. Also, if you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.

GROUND ONE: _____

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

On 09-29-21 On my plea Sex offender Registry was +
Clearly stated on the record.

(b) If you did not exhaust your state remedies on Ground One, explain why: _____

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16. Give the name and address, if you know, of each attorney who represented you in the following stages of the judgment you are challenging:

(a) At preliminary hearing: Rebecca Kreisher

348 W Cedar Ave. PO Box 2016 Gladwin MI 48624

(b) At arraignment and plea: Karyn Tomczyk

440 W Cedar Ave Gladwin MI 48624

(c) At trial: N/A

(d) At sentencing: Karyn Tomczyk

440 W Cedar Ave Gladwin MI 48624

(e) On appeal: Jeanice Dagher-Margosian

P.O. Box 2016 Ann Arbor MI 48106

(f) In any post-conviction proceeding: N/A

(g) On appeal from any ruling against you in a post-conviction proceeding: N/A

17. Do you have any future sentence to serve after you complete the sentence for the judgment that you are challenging? ☐ Yes ☒ No

(a) If so, give name and location of court that imposed the other sentence you will serve in the future:

(b) Give the date the other sentence was imposed: _____

(c) Give the length of the other sentence: _____

(d) Have you filed, or do you plan to file, any petition that challenges the judgment or sentence to be served in the future? ☐ Yes ☒ No

18. TIMELINESS OF PETITION: If your judgment of conviction became final over one year ago, you must explain why the one-year statute of limitations as contained in 28 U.S.C. § 2244(d) does not bar your petition.*

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- (2) The time during which a properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim is pending shall not be counted toward any period of limitation under this subsection.

Therefore, petitioner asks that the Court grant the following relief: _____

or any other relief to which petitioner may be entitled.

Signature of Attorney (if any)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct and that this Petition for Writ of Habeas Corpus was placed in the prison mailing system on 06-22-23 (month, date, year).

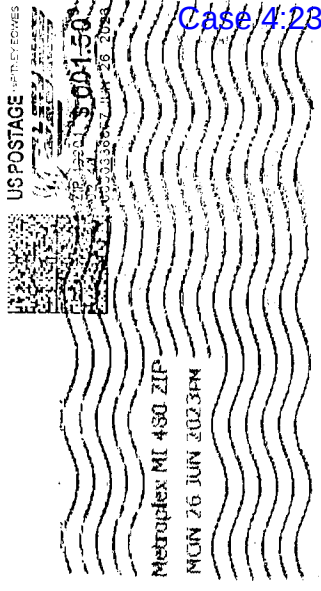
Executed (signed) on 06/21/23 (date).



Signature of Petitioner

If the person signing is not petitioner, state relationship to petitioner and explain why petitioner is not signing this petition.

Dawson Spangler
Parnall Correctional Facility
1789 East Parnall Rd
Tomball, TX 77375



United States District Court
Clerk of the Court
231 Lafayette Blvd
Detroit, MI 48226